

REMARKS

In the Official Action mailed on **08 December 2008**, the Examiner reviewed claims 1-33. Examiner rejected claims 1, 7-8, 10, 17-21, 26-29, 30-31, and 33 under 35 U.S.C. § 102(e) based on Armitage (U.S. Patent No. 7,054,957, hereinafter “Armitage”). Examiner rejected claims 2-4 under 35 U.S.C. § 103(a) based on Armitage, and Levine (U.S. Patent No. 6,356,084, hereinafter “Levine”). Examiner rejected claim 5 under 35 U.S.C. § 103(a) based on Armitage, and Arndt et al. (U.S. Patent No. 6,421,448, hereinafter “Arndt”). Examiner rejected claim 6 under 35 U.S.C. § 103(a) based on Armitage, and Papadopoulos et al. (U.S. Patent No. 6,128,384, hereinafter “Papadopoulos”). Examiner rejected claims 9 and 22 under 35 U.S.C. § 103(a) based on Armitage, and Chiu et al. (U.S. Patent No. 6,882,577, hereinafter “Chiu”). Examiner rejected claims 11-12, 23-25, and 32 under 35 U.S.C. § 103(a) based on Armitage and applicants admitted prior art (hereinafter AAPA). Examiner rejected claim 13 under 35 U.S.C. § 103(a) based on Armitage, AAPA, and Levine (U.S. Patent No. 6,356,084, hereinafter “Levine”). Examiner rejected claims 14-16 under 35 U.S.C. § 103(a) based on Fado, AAPA, and Southworth et al. (U.S. Patent No. 3,950,607, hereinafter “Southworth”).

Rejections under 35 U.S.C. § 102(e)

Examiner rejected claims 1, 7-8, 10, 17-21, 26-29, 30-31, and 33 under 35 U.S.C. § 102(e) as being anticipated by Armitage. Applicant respectfully disagrees, because Armitage does not disclose a circuit within a self-identifying microphone, which **transmits data about the microphone** to an external device through at least one electrical contact.

Specifically, Armitage discloses a **programming interface device** for a hearing aid, which communicates with a hearing aid programming system (see

Armitage, abstract). Applicant respectfully notes that the programming interface device is not a microphone, and is not a part of the hearing aid (see Armitage, FIG. 8). Furthermore, Armitage does not disclose, either explicitly or implicitly, **the hearing aid transmitting data** to the programming interface device. At most, the programming interface device identifies a cable type for a cable connector of a hearing aid. However, the cable connector is not a part of the hearing aid (see Armitage, col. 14, line 35, and FIG. 11). Therefore, the *hearing aid* of Armitage is not itself capable of **transmitting** data about itself to an external device, because the programming interface device and the cable connector are not a part of the hearing aid.

In contrast, embodiments of the present invention disclose a self-identifying microphone that **transmits data about itself through an I/O port** (see instant application, page 14, lines 9-10). More specifically, the microphone includes a circuit that identifies the microphone. This circuit transmits data about the microphone to an external device through at least one electrical contact (see instant application, pages 7-8, and page 14, lines 9-10). Unlike the Armitage system, the microphone of embodiments of the present invention does not require an external programming interface device or a cable connector to identify the microphone and transmit data about the microphone to an external device.

Accordingly, Applicant has amended claims 1, 10, 23, and 26 to clarify that the **microphone transmits data** about the microphone to an external device. These amendments find support in pages 7-8, and lines 9-10 of page 14. No new matter has been added.

Hence, Applicant respectfully submits that independent claims 1, 10, 19, 23, and 26 are in condition for allowance. Applicant also submits that claims 2-9, which depend upon claim 1, claims 11-18, which depend upon claim 10, claims 20-22, which depend upon claim 19, claim 24-25, which depend upon claim 23, and claims 27-33 which depend upon claim 26, are for the same reasons in

condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the application is presently in form for allowance.
Such action is respectfully requested.

Respectfully submitted,

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